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OUR FILE NO.

NEOME-019A2US

**FACSIMILE COVER SHEET**

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CENTRAL FAX CENTER

AUG 07 2006

Date: August 7, 2006

To: Commissioner for Patents  
Alexandria, VA 22313-1450

Facsimile: 571-273-8300

Re: U.S. Patent Application No. 10/560,265  
Int. Patent Application No. PCT/US04/18482  
Inventor(s): Mittelstein et al.  
"Electrosurgical Devices and Methods for Selective Cutting of Tissue"

From: Robert D. Buyan

Total No. of Pages: 20 (including this form). Please notify us immediately if you have not received all pages.

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Attached: Communication (2 pgs.)  
Response to Notification of Missing Requirements – Transmittal Letter  
(corrected) (2 pgs.)  
Copy of Response to Notification of Missing Requirements submitted on  
August 2, 2006 (16 pgs.)

**PRIVACY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address. Thank you.

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AUG 07 2006

Atty. Docket No.: NEOME-019A2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mittelstein et al.

U.S. App. No.: 10/560,265

Int. App. No.: PCT/US04/18482

For: Electrosurgical Devices and Methods  
for Selective Cutting of Tissue

Art Unit: Unassigned

Examiner: Unassigned

CERTIFICATE OF  
FACSIMILE TRANSMISSION

I hereby certify that this document is being  
transmitted by facsimile to the Commissioner for  
Patents, Alexandria, VA 22313-1450 at (571)273-  
8300 on August 7, 2006.

By:

Nancy V. McElrath

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the Response to the Notification of Missing Requirements submitted on August 2, 2006 for U.S. Application No. 10/560,266 (PCT/US04/18483) (copy enclosed), enclosed herewith is a corrected Transmittal Letter indicating the correct U.S. Application Number (10/560,265) and correct International Application Number (PCT/US04/18482).

Applicant respectfully requests that the Response to the Notification of Missing Requirements submitted on August 2, 2006 for U.S. Application No. 10/560,266 be treated as a Response to Notification of Missing Requirements for U.S. Application No. 10/560,265.

Atty. Docket No.: NEOME-019A2US

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

Date: Aug. 7, 2006

  
Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300  
Irvine, CA 92618  
Telephone: (949) 450-1750  
Facsimile: (949) 450-1764  
Email: rbuyan@patlawyers.com

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Atty. Docket No.: NEOME-019A2US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mittelstein et al.

U.S. App. No.: 10/560,265

Int. App. No.: PCT/US04/18482

For: Electrosurgical Devices and Methods  
for Selective Cutting of Tissue

Art Unit: Unassigned

Examiner: Unassigned

**CERTIFICATE OF  
FACSIMILE TRANSMISSION**

I hereby certify that this document is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450 at (571)273-8300 on August 2, 2006.

By:

Nancy V. McElrath

**Response to Notification of Missing Requirements  
Transmittal Letter**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed May 2, 2006:

- ☒ Enclosed is a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.).
- ☒ Enclosed is a Declaration of Inventorship and Limited Power of Attorney (2 pgs.).
- ☒ Enclosed is a Statement of Ownership (37 CFR 3.73(b)) and Power of Attorney by Assignee (1 pg.).
- ☒ Enclosed is a copy of the recorded Assignment (6 pgs.).
- ☒ Applicant hereby claims small entity status.

Atty. Docket No.: NEOME-019A2US

- ☒ Applicant hereby petitions for a one-month extension of time to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- ☒ The Commissioner is hereby authorized to charge the one-month extension fee (\$60) and the surcharge (\$65) and any underpayment or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

Date: August 2, 2006

---

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300  
Irvine, CA 92618  
Telephone: (949) 450-1750  
Facsimile: (949) 450-1764  
Email: rbuyan@patlawyers.com



# Auto-Reply Facsimile Transmission

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AUG 07 2006

TO: Fax Sender at +949 450 1764

Fax Information  
Date Received: 8/2/2006 1:11:50 PM [Eastern Daylight Time]  
Total Pages: 14 (including cover page)

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Cover  
Page

DATE	TIME	FROM	TO	STATUS	PAGE
8/2/06	1:11:50 PM	STOUT, UXA, BUYAN & MULLINS, LLP	USPTO	OK	14

  

<b>STOUT, UXA, BUYAN &amp; MULLINS, LLP</b> ATTORNEYS AT LAW 2000 CALIFORNIA BLVD SUITE 200 FARMERSVILLE, CA 94529 TEL: (925) 461-1764 FAX: (925) 461-1765	<b>USPTO</b> FACSIMILE COVER SHEET 8/2/06 1:11:50 PM USPTO FAX CENTER 14 PAGES
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**FACSIMILE COVER SHEET**

DATE: August 2, 2006

TO: Charleston Lee Pappas  
Alexandria, VA 22313-1450

FACSIMILE: 571-273-5300

RE: U.S. Patent Application No. 10/369,266  
Int. Patent Application No. PCT/US04/18483  
Inventor(s): Minkowski et al.  
"Devices and Methods Usable for Treatment of Ovarian and Other Surgical Problems"

FROM: Robert D. Buyan

Total No. of Pages: 14 (including this form). Please notify us immediately if you have not received all pages.

Attachments: Response to Notification of Missing Requirements (2 pgs.)  
Copy of Notification of Missing Requirements (2 pgs.)  
Declaration of Inventorship and Limited Power of Attorney (2 pgs.)  
Statement of Ownership (37 CFR 1.73(b)) and Power of Attorney by Assignment (1 pg.)  
Copy of recorded Assignment (6 pgs.)

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PAGE 164 \* RCVD AT 8/2/06 1:11:50 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-5/1 \* DNIS:2738300 \* CSID:+949 450 1764 \* DURATION (mm-ss):03:40

## MEMORY TRANSMISSION REPORT

PAGE : 001  
 TIME : AUG-02-06 10:05AM  
 TEL NUMBER1: +949-450-1764  
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 NAME : Stout,Uxa,Buyan & Mullins 0500

FILE NUMBER : 124  
 DATE : AUG-02 10:01AM  
 TO : 815712738300  
 DOCUMENT PAGES : 014  
 START TIME : AUG-02 10:01AM  
 END TIME : AUG-02 10:05AM  
 SENT PAGES : 014  
 STATUS : OK

FILE NUMBER : 124

\*\*\* SUCCESSFUL TX NOTICE \*\*\*

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 ROBERT D. BUYAN  
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 OF COUNSEL  
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## FACSIMILE COVER SHEET

Date: August 2, 2006  
 To: Commissioner for Patents  
 Alexandria, VA 22313-1450  
 Facsimile: 571-273-8300  
 Re: U.S. Patent Application No. 10/560,266  
 Int. Patent Application No. PCT/US04/18483  
 Inventor(s): Mittelstein et al.  
 "Devices and Methods Usable for Treatment of Glaucoma and Other  
 Surgical Problems"  
 From: Robert D. Buyan  
 Total No. of Pages: 14 (including this form). Please notify us immediately if you have not  
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NEOME-019A2US

## FACSIMILE COVER SHEET

Date: August 2, 2006

To: Commissioner for Patents  
Alexandria, VA 22313-1450

Facsimile: 571-273-8300

Re: U.S. Patent Application No. 10/560,266  
Int. Patent Application No. PCT/US04/18483  
Inventor(s): Mittelstein et al.  
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From: Robert D. Buyan

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Atty. Docket No.: NEOME-019A2US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mittelstein et al.

U.S. App. No.: 10/560,266

Int. App. No.: PCT/US04/18483

For: Devices and Methods Useable for  
Treatment of Glaucoma and Other  
Surgical Procedures

Art Unit: Unassigned

Examiner: Unassigned

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transmitted by facsimile to the Commissioner for  
Patents, Alexandria, VA 22313-1450 at (571)273-  
8300 on Aug. 7, 2006

By:

Nancy V. McElrath

**Response to Notification of Missing Requirements  
Transmittal Letter**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the  
United States Designated/Elected Office (DO/EO/US) mailed May 2, 2006:

- ☒ Enclosed is a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.).
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- ☒ Applicant hereby claims small entity status.

Atty. Docket No.: NEOME-019A2US

- ☒ Applicant hereby petitions for a one-month extension of time to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- ☒ The Commissioner is hereby authorized to charge the one-month extension fee (\$60) and the surcharge (\$65) and any underpayment or credit any overpayment of the filing fees required under 37 CFR §1.16 and any patent application processing fees required under 37 CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

STOUT, UXA, BUYAN &amp; MULLINS, LLP

Date:

August 1, 2006

Robert D. Buyan, Reg. No. 32,460

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Irvine, CA 92618  
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Facsimile: (949) 450-1764  
Email: rbuyan@patlawyers.com



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,265	PCT/US04/18482	NEOME-019A2US

FORM PCT/DO/EQ/905 (371 Formalities Notice)